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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/356,845	07/19/99	KAEWELL JR.	J I-1-50.5US

VOLPE AND KOENIG PC
400 ONE PENN CENTER
1617 JOHN F KENNEDY BOULEVARD
PHILADELPHIA PA 19103

LM02/0309

EXAMINER

DOCURE.T

ART UNIT

PAPER NUMBER

2731

DATE MAILED:

03/09/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/356,845

Applicant(s)
John David Kaewell, Jr. et al.

Examiner
Tesfaldet Bocure

Group Art Unit
2731



☒ Responsive to communication(s) filed on Jul 19, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 11-21 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 11-21 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 11-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by

Sperlich (US patent # 4,644,534).

Sperlich teaches a communication system comprising: a primary station (1 fig. 1) communicating with a plurality of secondary stations (U1-U4), wherein the primary station assigning a time slot in a given frequency for each of the receiving unit (One station figure 5, see also col. 1, lines 23-28 and time slot in figure 3), the receiving unit detecting the corresponding time slot and communicates back to the central station on the given frequency and slot (figs 3 and 5, col. 2, lines 41-68 through cols 3-5 and claim 1), as claimed in claims 11,12,15,16 and 19.

In the system of **Sperlich**, the central station communicates with the plurality of base stations on duplex-time division multiplexing, therefore, it reads on the claimed duplex telephonic communication (see col. 1, lines 23-28 and) claimed in claim 13 .

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The transceiver units in the system of **Sperlich** are a radio communication system, therefore reads on the claimed subject matter in claims 18 and 21.

With respect to claims 14, 17 and 20 the substations U1-U4 in figure 1 are remotely located with respect to the base station (central station).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11-21 are rejected under 35 U.S.C. 102(b) as being anticipated by **Van Leeuwen** (US Patent number 4,031,330).

Van Leeuwen teaches a transmission system (fig. 1) having a base unit (1 fig. 1 and fig. 3) for transmitting and receiving to and from a plurality of subscriber station (see slave stations 2-6 in fig. 1), where the base station comprising a control unit (13) for controlling the frequency and time allocation of the signal to be transmitted to the plurality of slave units (see cols 3 to 4) as in claims 11, 15 and 19.

Further to claims 12-19, the base station transmits a plurality of signals to the base stations in a selected frequency and time slots, and the slave units transmit a corresponding signal

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on a given time slot and frequency (see fig. 2). Wherein a sync code is transmitted in a given slot as in claims 12,16 and 19.

The transmission system of **Van Leeuwen** further transmits and receives a duplex traffic using a time division, wherein each of the time slot for receive and transmit to and from the plurality of slave units having a corresponding transmit time slots and receive time slots (see A1,A2,B1 and B2 time slots in figures 2 and col.3) as in claim 13.

The transceiver units in the system of **Van Leeuwen** are a radio communication system, therefore reads on the claimed subject matter in claims 18 and 21.

With respect to claims 14,17 and 20 the slave units are distant located from the master station (see fig.1).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US patent number 4,785,450 disclose a transmission system having a base unit and subscriber units, wherein the base unit communicates with the plurality of the subscriber units using an allocated time slot and frequency.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to T.Bocure whose telephone number is (703) 305-4735. The

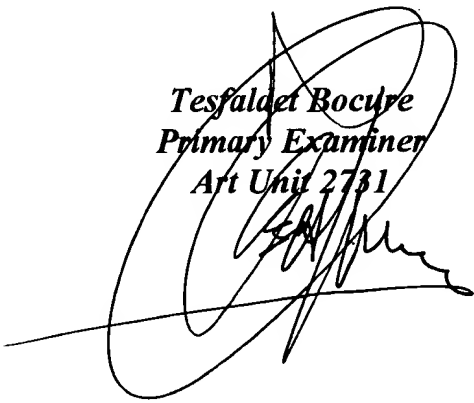
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examiner can normally be reached on Monday through Thursday the first week of a bi-week and Monday through Friday the second week of a bi-week from 7:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305- 4378. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-4743 or (703) 305-3988 .

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Tesfaldet Bocure
Primary Examiner
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A large, stylized handwritten signature in black ink, appearing to read 'T. Bocure', is written over the typed name and title.

T. Bocure

March 6, 2000